

# Categorical Exclusion

## Craig Wear Brunswick Canyon Road Land Use Permit (LUP)

Sierra Front Field Office

Carson City

Nevada

89701

775-885-6000

### *Categorical Exclusion Review*

The renewal for Land Use Permit (LUP) NVN 091123 to allow for testing of non-pneumatic tires while traversing existing roads on public land has not changed from the original LUP. Two riders would ride five days a week year-round on all-terrain quads manufactured by Polaris (RZR 4 XPs), with the exception of down days for vehicle maintenance. The primary focus of the proposed action is tire testing and evaluation given the desert terrain. No new surface disturbance is being proposed. The holder shall contact the Bureau of Land Management (BLM) and obtain approval from the Authorized Officer before beginning any activity that is a substantial deviation from this grant or that would cause new surface disturbance.

The existing LUP was permitted on October 10, 2012, and is set to expire on October 9, 2015. This renewal would be authorized under a section 302 FLPMA land use permit, which allows for use of public land for three years with renewal at the discretion of the authorized officer. LUP's are used to authorize actions which are expected to involve either little or no land improvement, construction, or investment.

Road damage and maintenance: Photo documentation would be used to compare high wear areas, especially sharp corners, to base line and previous week disturbance. When needed, maintenance and repair would be done with hand tools or larger equipment if necessary. If larger equipment is necessary, the applicant would contact the authorized officer prior to the activity. The permittee would be required to post additional monies for the reclamation bond for this renewal authorization. Additional terms and conditions would be added.

#### **BLM Office:**

LLNVC02000

#### **Lease/Serial/Case File No.:**

NVN 091123

#### **Location of Proposed Action:**

Douglas and Carson counties,

MDM, Nevada,

T. 14 N., R. 21 E.,

sec. 4, NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;

sec. 9, SE $\frac{1}{4}$ ;

sec. 16, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ ;

sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ;

sec. 25, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ ;

sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;

sec. 27, S $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;

sec. 28, SE $\frac{1}{4}$ , E $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ ;

sec. 33, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;

sec. 34, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .

T. 14 N., R. 22 E.,

sec. 17, NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;

sec. 18, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;

sec. 19, SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;

sec. 30, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .

T. 15 N., R. 20 E.,

sec. 13, SW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ;

sec. 14, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

sec. 23, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ .

T. 15 N., R. 21 E.,

sec. 18, W $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;

sec. 19, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;

sec. 29, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

sec. 32, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;

sec. 33, NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ .

sec. 20, SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;

**1:24,000 Quads:**

All 1997 Provincial Edition

New Empire

McTarnahan Hill

Mineral Peak

Mount Como

**Description of Proposed Action:**

A 15 mile route consisting of existing roads, used twice per riding day- approximate use is 60 miles a day.

## Land Use Plan Conformance

**Land Use Plan Name:** Nevada, Carson City Consolidated Resource Management Plan

**Date Approved/Amended:** May 2001

**The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):**

LND-7, (6): "Exchanges and minor non-Bureau initiated realty proposals will be considered where analysis indicates they are beneficial to the public."

## Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, or 516 DM 11.9,

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

The applicable section is: 516 DM 11.9, Appendix 4 (E) (9): "Renewal and assignments of leases, permits, or other rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations."

I considered the following:

## Impacts on Public Health and Safety

1. Does the proposed action have significant impacts on public health and safety?		
<b>YES</b>	<b>NO</b>	<b>REVIEWER/TITLE</b>
	<b>X</b>	Cory Gardner, Land Law Examiner
	<b>X</b>	Brian Buttazoni, Planning & Environmental Coordinator

## Impacts on Natural Resources or Unique Geographic Characteristics

2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas?

YES	NO	REVIEWER/TITLE
	X	Cory Gardner, Land Law Examiner

## Level of Controversy

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?

YES	NO	REVIEWER/TITLE
	X	Cory Gardner, Land Law Examiner
	X	Brian Buttazoni, Planning & Environmental Coordinator

## Highly Uncertain or Unique or Unknown Environmental Risks

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?

YES	NO	REVIEWER/TITLE
	X	Cory Gardner, Land Law Examiner
	X	Brian Buttazoni, Planning & Environmental Coordinator

## Precedent Setting

5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?

YES	NO	REVIEWER/TITLE
	X	Cory Gardner, Land Law Examiner
	X	Brian Buttazoni, Planning & Environmental Coordinator

## Cumulatively Significant Effects

6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?

YES	NO	REVIEWER/TITLE
	X	Cory Gardner, Land Law Examiner
	X	Brian Buttazoni, Planning & Environmental Coordinator

## Impacts on Cultural Properties

7. Have significant impacts on properties listed or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?

YES	NO	REVIEWER/TITLE
	X	Alicia Alfaro, Archeologist

## Species or Critical Habitat

8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?

YES	NO	REVIEWER/TITLE
	X	Brian Buttazoni, Planning & Environmental Coordinator

## Compliance with Laws

9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?

YES	NO	REVIEWER/TITLE
	X	Brian Buttazoni, Planning & Environmental Coordinator

## Environmental Justice

10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?

YES	NO	REVIEWER/TITLE
	X	Brian Buttazoni, Planning & Environmental Coordinator

## Sacred Sites

11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?


YES	NO	REVIEWER/TITLE
	X	Alicia Alfaro, Archeologist

## Noxious and Non-Native Invasive Species

12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?

YES	NO	REVIEWER/TITLE
	X	Brian Buttazoni, Planning & Environmental Coordinator

## Approval Information

Leon Thomas Field Manager ACTING FOR		Date 9/24/2015
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This categorical exclusion worksheet does not constitute the decision to approve this project. See accompanying LUP for appeal information.